

In the Claims

1. (currently amended) Medical instrument for creating a cavity for an endoscopic intervention in a human or animal body, comprised of a hollow cylindrical encasing trocar tube which can be inserted into an artificial body opening and an expander which can be extracted from and retracted into said trocar tube, characterized in that the expander comprised of a retaining element arranged outside the trocar tube in addition to at least two spring blades which are made of a flexible material and form an arc in the respective middle sections, whereby said at least two spring blades are shifted toward one another on the retaining element in such a way that the plane surface created by the arcs are intersecting and the two ends of each blade are fixed to the retaining element, extending through the tube of the trocar[and], wherein the trocar tube [consists of] comprises two coaxial sleeves arranged one inside of the other and at a distance to one another, an outer one of the two coaxial sleeves having a generally cylindrical inner surface and an inner one of the coaxial sleeves having a generally cylindrical outer surface, the inner surface of the outer sleeve and the outer surface of the inner sleeve defining a generally annular gap, the generally annular gap extending substantially along a length of the trocar, and wherein[, where] the spring blades fixed in said retaining element extend through the annular gap formed between said coaxial sleeves.

2. (cancelled)

3. (previously presented) Medical instrument in accordance with Claim 1, characterized in that two spring blades are fixed on the retaining element in a way that they are shifted to one another at an angle of 90°.

4. (previously presented) Medical instrument in accordance with Claim 1, characterized in that the expander consists of four spring blades fixed on the retaining element in such a way that they are shifted at an angle of 45°.
5. (previously presented) Medical instrument in accordance with Claim 2, characterized in that the individual arched spring blades are connected with one another on their vertices by means of a common connecting element.
6. (previously presented) Medical instrument in accordance with Claim 1, characterized in that the spring blades are made of elastic TiNi.
7. (previously presented) Medical instrument in accordance with Claim 1, characterized in that the retaining element is provided with a central opening for inserting at least one additional medical instrument.
8. (previously presented) Medical instrument in accordance with Claim 1, characterized in that a locking device on the retaining element is used for fixing the expander into the respective position when inserted in the trocar tube.
9. (currently amended) Method for the use of the apparatus in Claim 1, comprising the following steps:[above-mentioned medical instrument for creating a cavity in a human or animal body for an endoscopic intervention, characterized by the following procedures:]
 - a) Inserting the trocar tube into an artificial body opening.
 - b) Inserting the expander through the trocar tube until the spring blades are projecting from the distal end of said trocar tube and extending again in a way that they form an arc so as to create a cavity for an endoscopic intervention.

- c) Retracting the expander through the trocar tube after the endoscopic intervention.
- d) Extracting the trocar tube from the artificial body opening.

10. (previously presented) Method in accordance with Claim 9, wherein, the step of inserting the expander through the trocar tube until the spring blades are projecting from the distal end of said trocar tube and extending again in a way that they form an arc so as to create a cavity for an endoscopic intervention further comprises the step of:

Inserting an additional medical instrument through the retaining element and the trocar tube into the cavity formed by the spring blades.

11. (previously presented) Method in accordance with Claim 9, wherein, the step of inserting the expander through the trocar tube until the spring blades are projecting from the distal end of said trocar tube and extending again in a way that they form an arc so as to create a cavity for an endoscopic intervention further comprises the step of:

Fixing the insertion depth of the expander in the trocar tube after forming the cavity by the spring blades.